

IN THE CIRCUIT COURT
FOR MONTGOMERY COUNTY, MARYLAND

MURRY GUNTY, BLACK BEAR SPORTS GROUP, INC.,
and BLACKSTREET CAPITAL HOLDINGS, LLC
7250 Woodmont Avenue
Suite 210
Bethesda, MD 20814

Plaintiffs,

-against-

BRIAN CLANCY and CLANKO MEDIA,
41 Fairfield Ave.
Cranford, NJ 07016

Defendants.

CASE NO.: C-15-CV-25-
000531

DEMAND FOR JURY TRIAL

COMPLAINT

Plaintiffs Blackstreet Capital Holdings, LLC, Black Bear Sports Group, Inc., and Murry Guntz (together, "Plaintiffs"), by and through their undersigned counsel, state and allege the following:

NATURE OF THE ACTION

For nearly a year, Defendants have used their significant standing in the youth hockey world to attack and defame Plaintiffs. Posting to their thousands of followers on social media, Defendants have spread lies about and denigrated Black Bear Sports Group and its employees, insulted young athletes and their families, and impugned the character and reputation of Mr. Guntz.

Plaintiffs bring this action to seek relief for harms suffered from this relentless, defamatory, vicious, and targeted social media smear campaign. The campaign was designed and intended to cause—and did in fact cause—harm to Plaintiffs both financially and, for Mr. Guntz, on a personal level; specifically, Defendants' actions denigrated the reputations of Black Bear Sports Group,

**EXHIBIT
A**

Blackstreet Capital Holdings, and Mr. Gunty personally and professionally, and caused Mr. Gunty severe emotional distress. As alleged in this Complaint, Plaintiffs are entitled to compensatory and punitive damages, as well as costs, fees, prejudgment interest, and such other relief as this Court may deem appropriate.

THE PARTIES

1. Plaintiff Black Bear Sports Group (“BBSG”) is a privately held company headquartered in Bethesda, Maryland. BBSG invests in sports and entertainment facilities (including ice hockey arenas), as well as youth ice hockey teams, leagues, tournaments, and events.

2. Plaintiff Blackstreet Capital Holdings, LLC (“Blackstreet”) is a privately held company headquartered in Bethesda, Maryland. Blackstreet is an investment firm and one of the two controlling shareholders in Black Bear Sports Group.

3. Plaintiff Murry Gunty is Founder and CEO of Blackstreet and BBSG, and serves as the Commissioner of the United States Premier Hockey League (“USPHL”), a junior hockey league in which numerous BBSG teams play and in which an affiliate of BBSG is an owner. At all times relevant to this action, Mr. Gunty has resided in Montgomery County, Maryland. Mr. Gunty is also the Founder, CEO, and Manager of Blackstreet.

4. Defendant Brian Clancy is a youth hockey blogger based in New Jersey and is, on information and belief, the sole proprietor and operator of the New Jersey-based company, Defendant Clanko Media. Mr. Clancy is a video producer and, on information and belief, generates revenues for his company by selling in Maryland videos, subscriptions to his YouTube channel, and merchandise.

5. Defendant Clanko Media is a digital media and production company based in New Jersey. Clanko Media provides video services for young hockey players, including those playing in BBSG’s leagues and for teams that are based in Maryland and play in BBSG rinks in Maryland.

Clanko Media has a social media presence, including on X (formally Twitter), YouTube, Facebook, and Instagram. Clanko Media uses the handles @ClankoMedia on X and @clanko_media on Instagram. Clanko Media's YouTube channel has numerous subscribers, among whom are, on information and belief, Maryland residents.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction under § 1-501 of the Courts and Judicial Proceedings Article.

7. This Court has personal jurisdiction over Defendants under §§ 6-103 of the Courts and Judicial Proceedings Article.

8. Venue is proper in this Court under §§ 6-201 and 6-202 of the Courts and Judicial Proceedings Article.

FACTUAL BACKGROUND

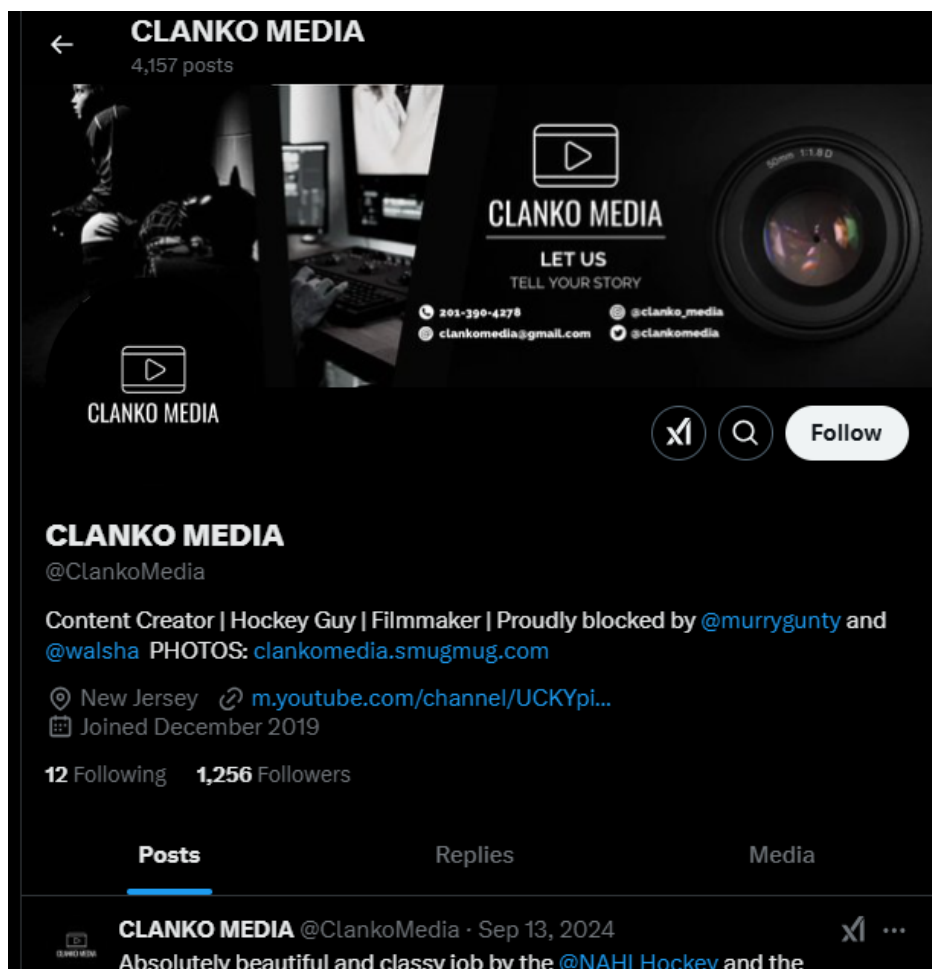
Introduction

9. Plaintiffs own and operate numerous youth hockey clubs, teams, and leagues. Almost all of the teams rely on tuition and season-fee payments to generate revenue. In certain instances, BBSG's teams rely on attendance and sponsorship to generate revenue for their operating costs. BBSG also generates significant revenue from leagues and tournaments that include non-BBSG teams and that rely on BBSG's reputation and quality as an operator.

10. Mr. Gunty is Commissioner of the USPHL, and Plaintiffs are on the USPHL Executive Committee. USPHL is the largest junior hockey league in North America, in which athletes between the ages of 16 and 20 who are hoping to play collegiate hockey have the opportunity to practice and exhibit their skills. The USPHL is partially owned by an affiliate of BBSG. The USPHL, like Plaintiffs' leagues and teams, largely generates revenue through contracts with players which the players pay tuition to the individual clubs.

11. Defendants are well-known in youth hockey circles across the country, and in particular on the East Coast and in the Mid-Atlantic. Defendants have over 18,000 followers on Instagram, over 1,200 followers on X, and over 11,000 subscribers on YouTube.

12. Despite the absence of any prior relationship or history of interaction, Defendants are obsessed with Plaintiffs and repeatedly and intentionally target Plaintiffs for harm and ridicule on social media.



For example, Clanko Media’s X profile states that the Clanko Media account is “[p]roudly blocked by @murrygunty,” referring to Mr. Gunty’s X account, and drawing his followers’ attention to his disdain for Mr. Gunty personally.

13. Defendants first began posting defamatory material about Plaintiffs in Spring 2024, when Mr. Gunty became Commissioner of the USPHL. Since then, Defendants have knowingly, intentionally, and continuously posted false and defamatory information. Driven by an intense and irrational animus toward Plaintiffs, Defendants have disseminated false and defamatory information with intent to harm Mr. Gunty's personal and professional reputation, as well as Blackstreet and BBSG (and especially BBSG's youth and junior hockey teams, BBSG's employees, and BBSG's new video streaming service Black Bear TV).

14. Defendants' social media posts are published and shared widely across the youth hockey world, and are often reposted by other hockey bloggers, compounding Plaintiffs' financial and reputational injuries industry-wide. In fact, Defendants' social media posts are often promoted by competitors who stand to benefit financially from any harm befalling Blackstreet, BBSG, or the USPHL's business or reputation.

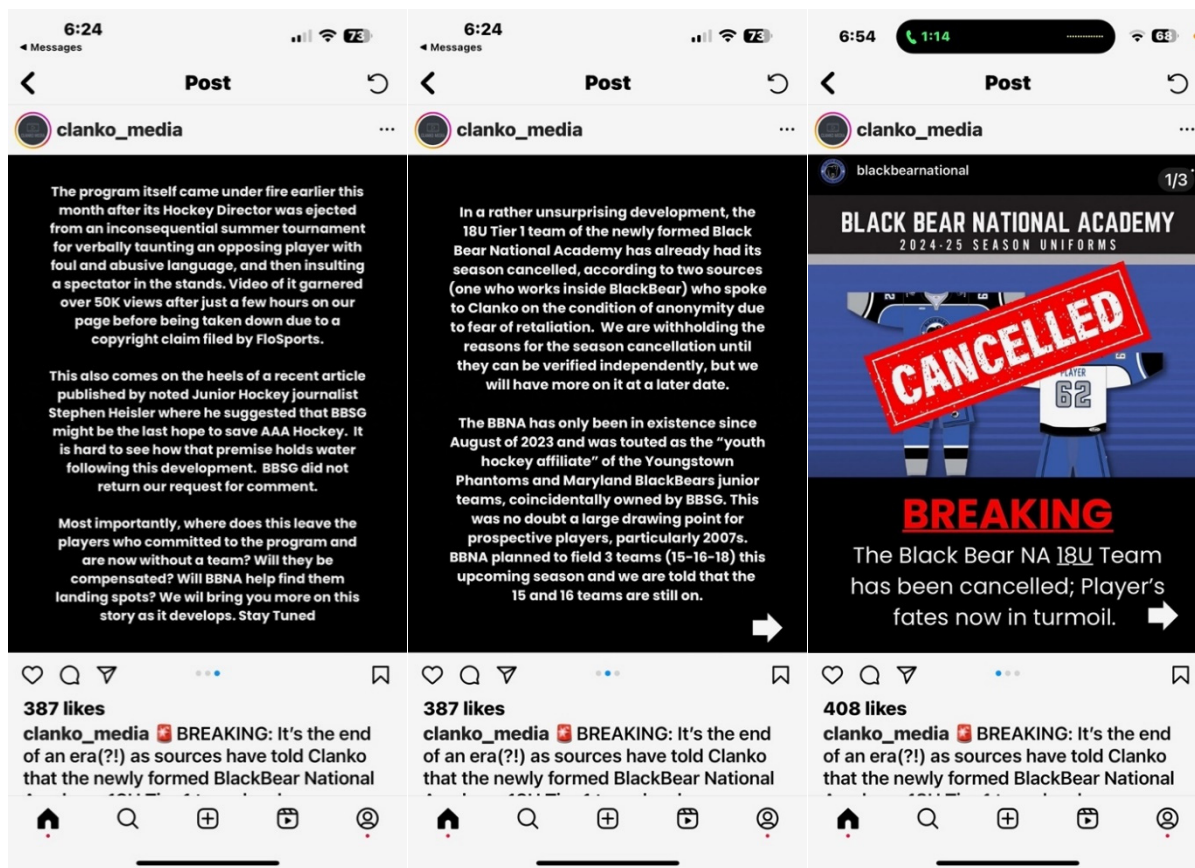
15. As a result of Defendants' false social media posts, as detailed further below, Plaintiffs have suffered substantial financial and reputational harm.

Defendants' Social Media Smears

16. Defendants have posted about Plaintiffs hundreds of times, using a scorched earth approach to indiscriminately attack Plaintiffs' businesses and denigrate their personal and professional reputations.

17. For example, in mid-June 2024, @clanko_media falsely posted on Instagram that Plaintiffs' Black Bear National Academy's inaugural season for its 18-and-under team was cancelled during its tryout period. Specifically, the post contained a graphic of a "CANCELLED"

stamp over graphics of the team's jerseys, noting that "[i]t's the end of an era," with "[p]layer's [sic] fates now in turmoil."



The post attributed its report to “two sources,” including “one who works inside BlackBear[] [sic] who spoke to Clanko on the condition of anonymity due to fear of retaliation.” The series of posts also fear-mongered about the players’ futures: “where does this leave the players who committed to the program and are now without a team? Will they be compensated? Will [Black Bear National Academy] help find them landing spots?”

18. The assertion that the team had canceled its season was blatantly false, and Defendants published the lie knowing its falsity. Nevertheless, the posts stayed up for several days—until BBSG’s counsel demanded they remove the post—and the series of posts garnered over 1,000 “likes.”

19. As a result of the June posts, Plaintiffs were forced to scramble to notify the National Academy's players, who came from across the world, that their season was not in fact canceled. Through their quick action, Plaintiffs successfully retained most of their committed players; however, as a result of the false post, the Black Bear National Academy as a whole was destabilized, causing at least four prospective players to decline to sign up for the 15U team, and depriving Plaintiffs of contracts worth as much as \$60,000.

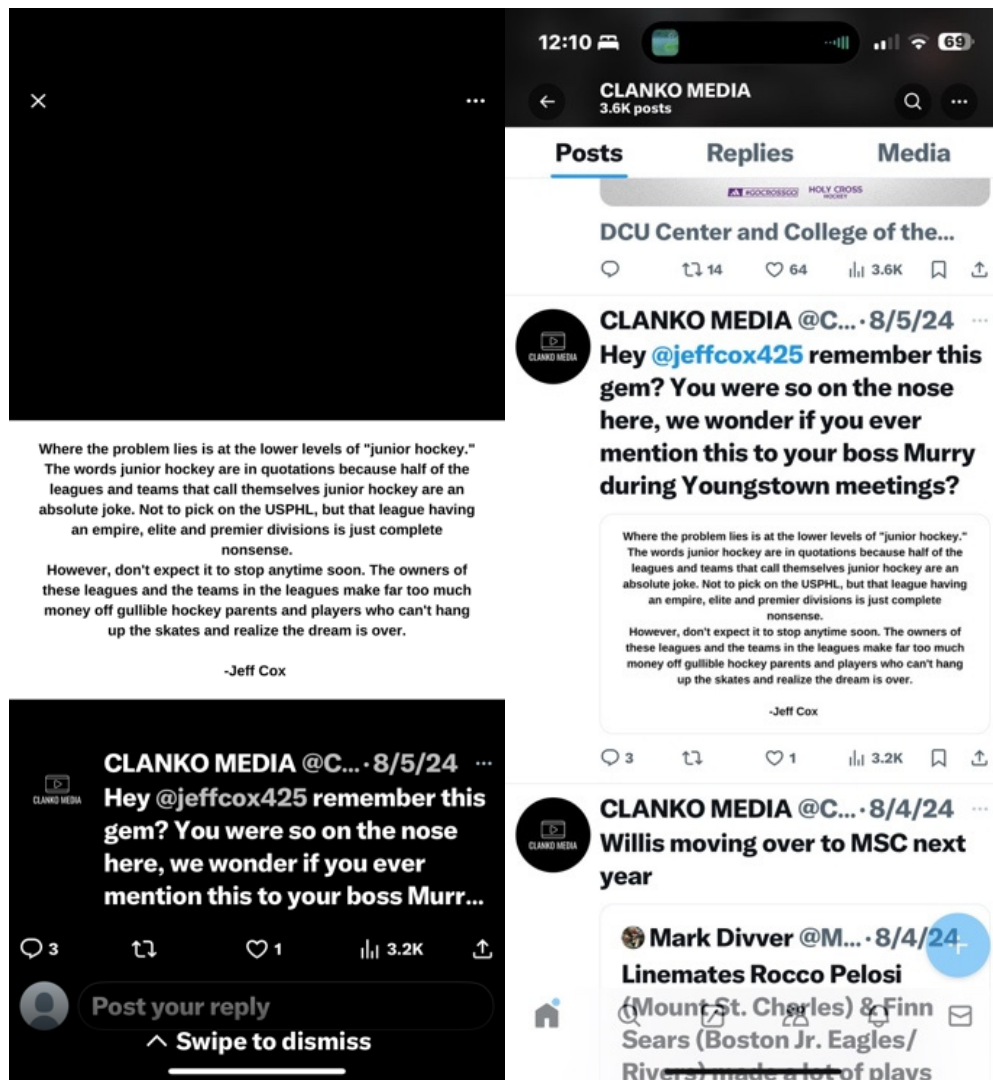
20. Further, the June posts falsely stating that the National Academy's season had been canceled inflicted reputational harm on Plaintiffs by suggesting to both current and prospective players that Plaintiffs do not operate a trustworthy or reputable organization. This was a particularly harmful lie as this was the first year that BBSG launched the Black Bear National Academy at the 15U, 16U and 18U ages.

21. On June 24, 2024, BBSG's general counsel, Patricia LaBorde, sent a letter to Defendants demanding that Mr. Clancy remove the false and defamatory posts stating that the Black Bear National Academy 18U's team had been dissolved. In response—and only after the post had been widely circulated and significant damage had already been done—Defendants removed the specific posts referenced in the letter, but have not stopped posting lies and smears about Plaintiffs.

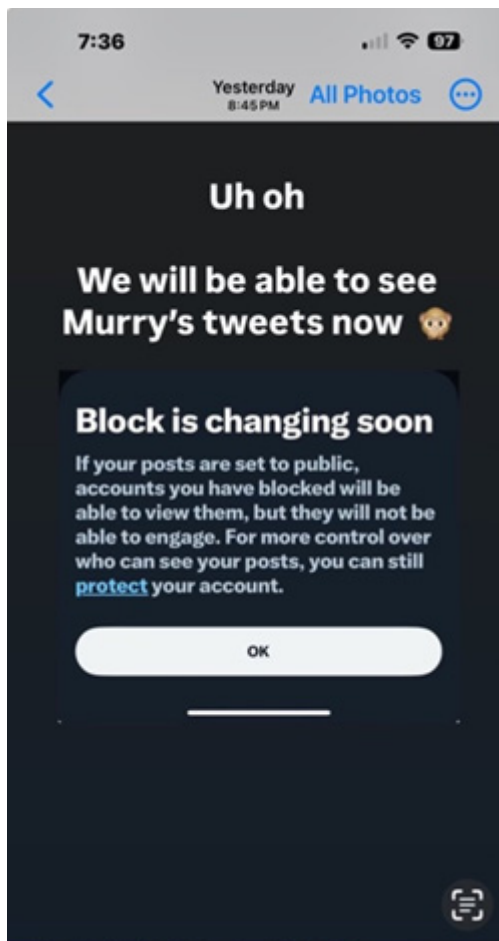
22. On July 29, 2024, Defendants' Instagram and X accounts harassed Rob Broderick, hockey director of BBSG's Mercer Chiefs and coach of several teams, in an attempt to get him to leave his job at BBSG. Specifically, Defendants posted: "We will forever be disappointed that one of the BEST guys ever in youth hockey chose to associate with this operation. Come back to Rockets Brod!!," referring to a club owned by a competitor in a nearby ice rink.



23. Likewise, about a week later on August 5, 2024, Defendants' Instagram and X accounts targeted Jeff Cox, another employee of BBSG who serves as the assistant general manager of the firm's Youngstown Phantoms team, quipping that Clanko Media "wonder[ed] if" Cox "ever" confronted Mr. Gunty with past criticisms Defendants allege Mr. Cox made about the USPHL.



24. On October 16, 2024, Defendants harassed Mr. Gunty due to the potential changing of the X policy where users were no longer able to block followers: “We will be able to see Murry’s tweets now...Block is changing soon.”

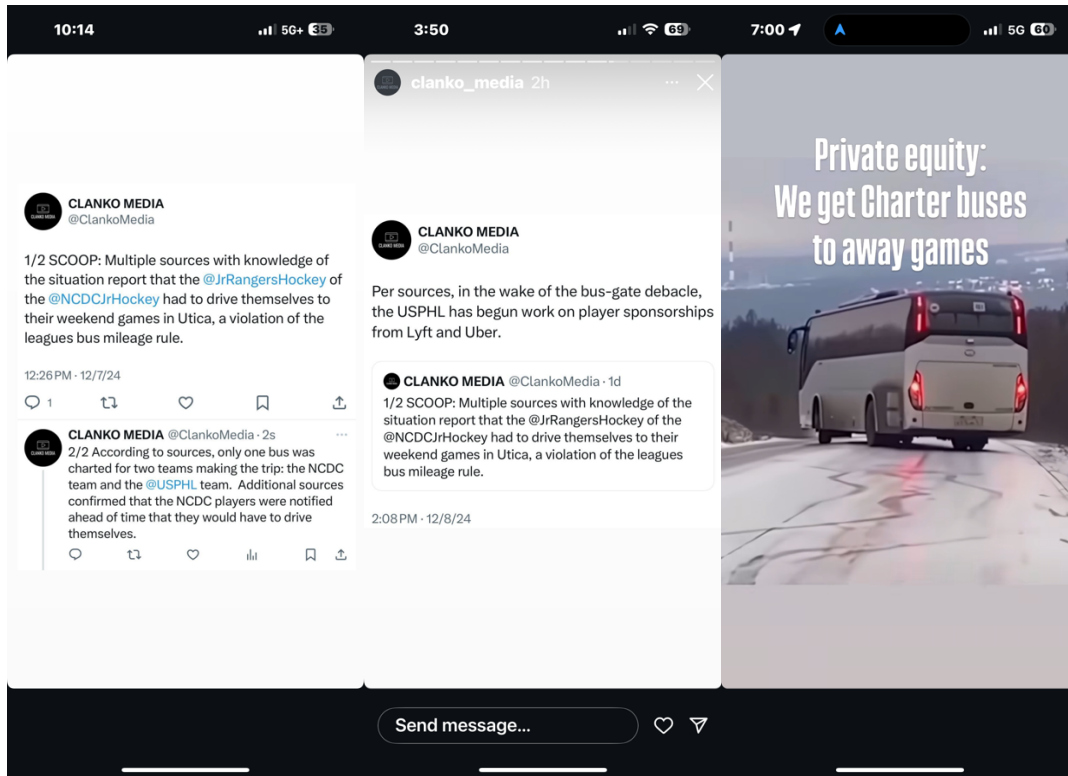


25. On November 12, 2024, Defendants encouraged players to cancel their contracts with clubs in the USPHL's NCDC division, including Plaintiffs' teams, posting:



“If you play in the NCDC, today is the day to ask for your money back or a release. That’s it. That’s the tweet.” Defendants’ outrageous posts were attempts to get players to leave the league because of the entry of the Boston Dogs, as detailed further below.

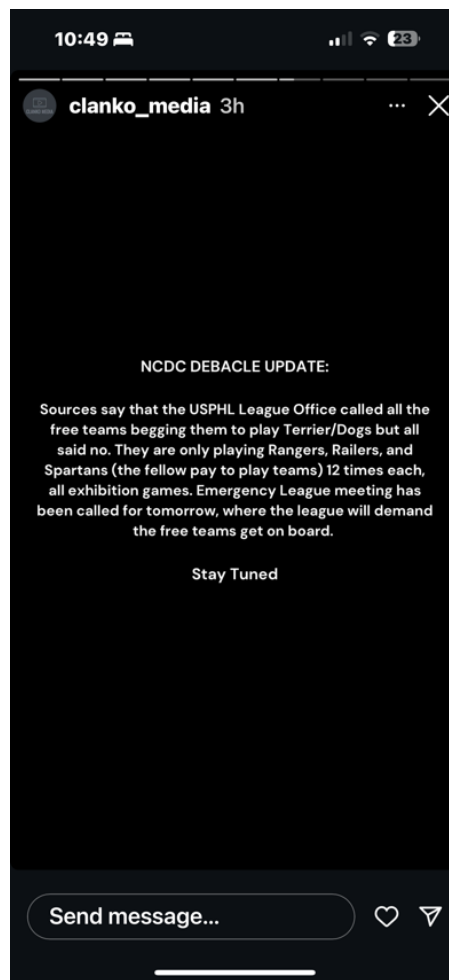
26. The Defendants further falsely alleged that members of the league led by Mr. Gunty violated league rules, putting player safety at severe risk. Specifically, on December 7 and 8, 2024, @clanko_media falsely posted on Instagram that two Boston area-based USPHL member teams required their players to drive themselves to weekend games in Utica, New York, in violation of league policies and junior hockey league standards.



27. The December 7 and 8 claims were false, and Defendants knew that they were false. Although a few of the players requested for their own convenience an exemption to drive themselves to Utica, neither they nor any other players were required to drive themselves, nor free to drive themselves once there.

28. Defendants' December 7 and 8 posts, on information and belief, caused players to disaffiliate with the league's teams, and deterred prospective players from joining the league and these teams either due to a concern that the league rules would not be enforced, or due to general safety concerns. Further, the posts served to denigrate Plaintiffs' reputation as compliant with and respectful of league rules and caring for the safety of their young players—these player safety rules hold a sacred role in the eyes of many in the junior hockey world. The false accusations are particularly harmful to Mr. Gunty, who is personally responsible for following these rules as the league's Commissioner and Executive Committee member.

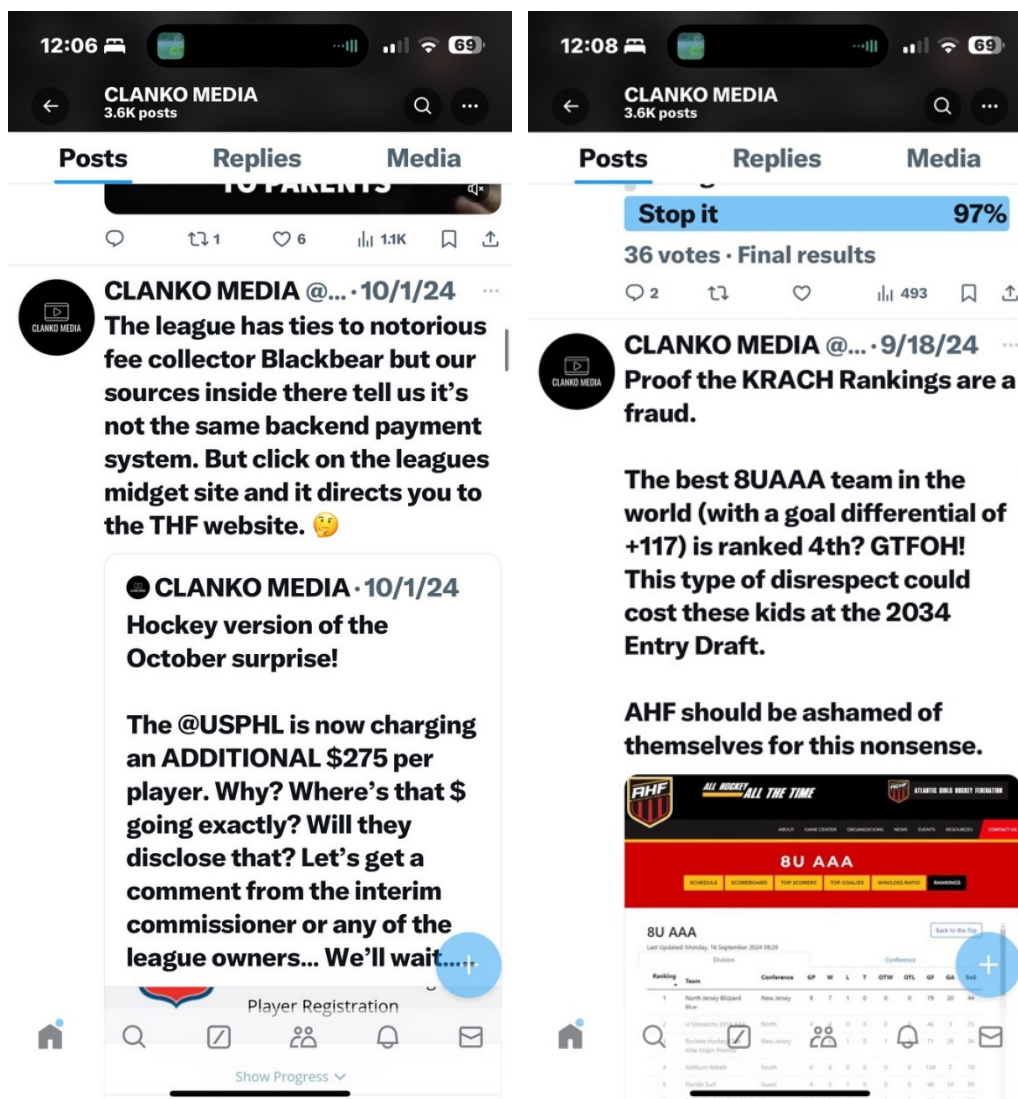
29. In November 2024, Defendants also made false statements about the USPHL's NCDC (National Collegiate Development Conference) division in a post they entitled the "NCDC Debacle." Defendants falsely claimed the league's office was making calls to "beg" teams to play a new member of the league, the Boston Dogs. Further, the Defendants tried to denigrate the Boston Dogs by falsely stating the team would only play three teams 12 times each – a horrible schedule that players would not enjoy.



The Boston Dogs in fact have played a full and rigorous schedule against a variety of teams in the league, even traveling out West to play a league member. The Defendants further claimed there was an emergency league meeting called to demand that teams get on board with playing the Boston Dogs. None of this was true; and was intended to harm, and did in fact harm, Plaintiffs

financially and reputationally by making their player experience appear uncompetitive and undesirable.

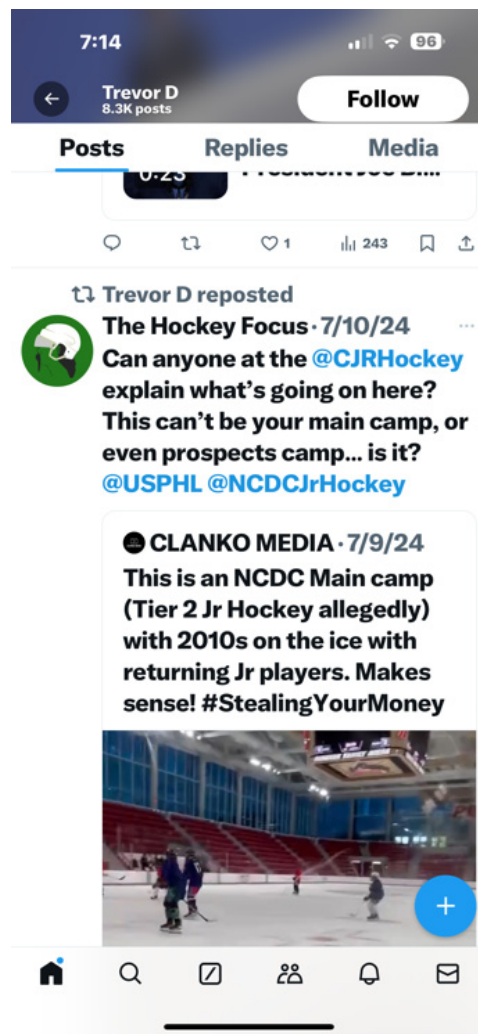
30. Defendants have directly besmirched Plaintiffs' reputations on numerous other occasions as well, including calling BBSG a "notorious fee collector" in connection with its collection of a routine fee, and suggesting that BBSG and Blackstreet Capital manipulated key rankings to benefit players on its teams, which ranking system Defendants labeled "a fraud."



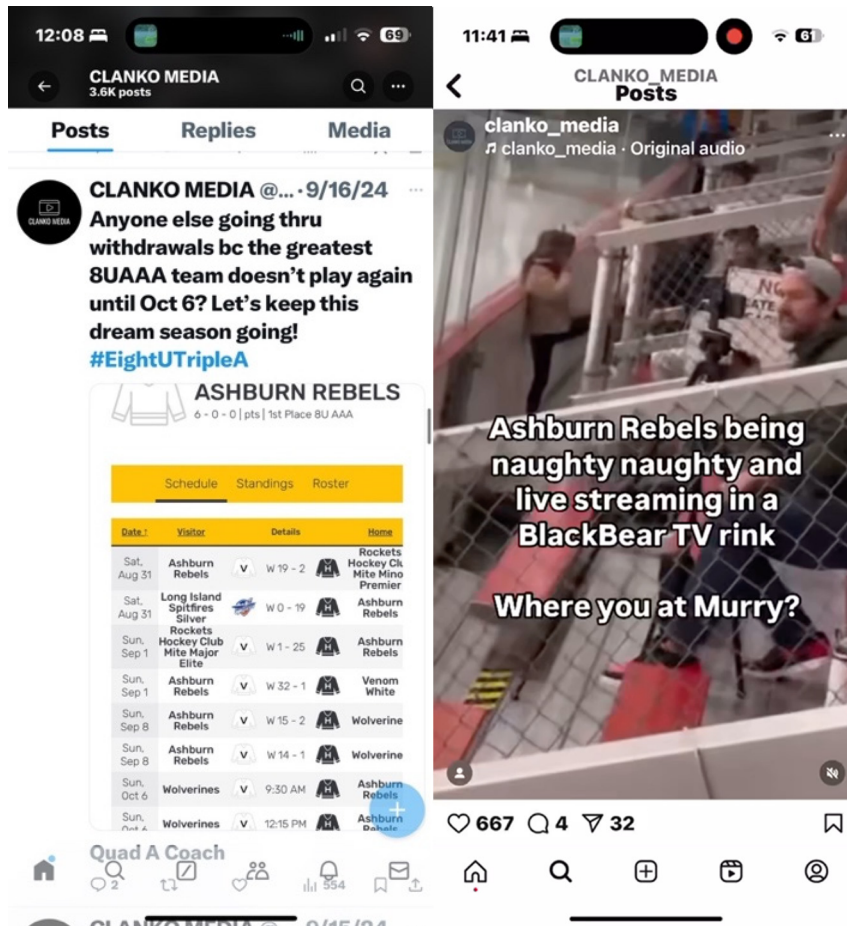
This ranking system uses the same formula as the National Collegiate Athletic Association ("NCAA") ice hockey and the formula is posted on the ranking website, belying the notion that

the system is a “fraud,” as claimed by Defendants. Defendants, as immersed in the youth ice hockey world as they are, know all this—yet make their false statements with the sole intent to harm Plaintiffs.

31. The X account for Clanko Media even suggested that Plaintiffs were liable for theft against their players and families, with the use of the hashtag “#StealingYourMoney” in connection with a post about a USPHL camp.



32. Defendants have also repeatedly harassed Plaintiffs and its leagues’ players and families, including by, for example, egregiously mocking BBSG’s league for players *under the age of 8 years old*.



Defendants also mocked Mr. Gunty directly by posting: “Ashburn rebels being naughty naughty and live streaming in a BlackBear TV rink – where you at Murry?,” referring to an 8U team playing in BBSG’s league. Mr. Gunty has personally received dozens of queries and expressions of concern from those connected with the various leagues and teams, and overall in hockey as a result of Defendants’ social media statements.

33. Defendants have lied about Black Bear’s streaming service, Black Bear TV (“BBTV”) in an transparent effort to promote Clanko Media’s YouTube channel and its productions over Black Bear TV. For example, in September 2024, Defendants posted that certain hockey games played in one of BBSG’s facilities would no longer be available to stream. This statement was false, and Defendants knew or should have known it was false—BBTV’s website clearly states that “we exclusively stream youth and scholastic ice hockey games,” and the

referenced hockey games were in fact available to stream. This falsehood was aimed at damaging Plaintiffs' reputation for offering a high-quality product, and to make BBSG's hockey leagues appear less desirable.

34. Defendants have ignored Plaintiffs' attempts to have them stop making these tortious statements, and have taken no action beyond removing a single Instagram post identified in BBSG's counsel's June 2024 demand letter and mocking this demand letter online.

35. Having exhausted all other possible remedies, Plaintiffs now request that this Court intervene to hold Defendants accountable for this campaign of false, defamatory, and intentionally harmful posting in order to protect Plaintiffs' businesses and reputations from further smears.

Resulting Fallout to Plaintiffs

36. Plaintiffs have suffered concrete financial harm as a direct result of Defendants' attacks.

37. On information and belief, Defendants' claims have harmed Plaintiffs' recruitment efforts in Maryland, in addition to the four players who did not join the 15U Black Bear Academy team because of Defendants' June 2024 post. These general recruitment efforts span BBSG's teams, leagues, and events, as well as recruitment efforts by BBSG clubs and non-BBSG clubs in the USPHL, which has also been the subject of constant false attacks.

38. Likewise, Mr. Gunty has suffered personal financial and reputational harm from Defendants' false posts. Defendants are clearly fixated on ruining Mr. Gunty's personal and professional reputation—that much is clear from Defendants' X profile's callout of Mr. Gunty personally—and by referring to him by name in repeated posts denigrating Blackstreet, BBSG and the USPHL. As a result, Mr. Gunty has been forced to devote significant time and effort to counteract Defendants' smears about BBSG, his personal character, and his role in the business.

BBSG has had to hire additional public relations assistance at a cost of over \$50,000 to respond to Defendants' false and defamatory claims.

39. Finally, Plaintiffs' Maryland teams, arenas, and camps have been particularly harmed by Defendants' aggressive disinformation campaign. Among its holdings, BBSG owns and operates three arenas in Maryland: Capital Clubhouse Recreation Center in Waldorf, Maryland; Ice World in Abingdon, Maryland; and Piney Orchard Ice Arena in Odenton, Maryland. Additionally, BBSG owns and operates three Maryland hockey teams: the Maryland Black Bears, based at Piney Orchard Ice Arena in Odenton, Maryland; the Southern Maryland Sabres, based at Capital Clubhouse in Waldorf, Maryland and Team Maryland based at Rockville Ice Arena in Rockville and at Piney Orchard in Odenton. BBSG recruits Maryland hockey players to participate in its teams and leagues, including the Atlantic Hockey Federation, the Atlantic Girls Hockey Federation, and the USPHL. BBSG camps and showcases are routinely held in Maryland; most recently the 2024 Futures Camp was held June 21 through 23 at the Piney Orchard Ice Arena in Odenton, Maryland. Numerous camps and clinics are also held in the spring and summer in Rockville, Ice World, Piney Orchard, and Capital Clubhouse. Defendants have third-party customers from Maryland that play in BBSG's leagues, and Plaintiffs have to defend their reputations to these third-party customers based in Maryland in the face of Defendants' repeated false attacks.

CLAIMS

COUNT ONE

(Tortious Interference with Prospective Advantage)

40. Plaintiffs repeat and incorporate by reference paragraphs 1 through 39 of the Complaint, as if fully set forth therein.

41. Defendants' defamatory and false statements were part of a course of conduct that was independently wrongful, including lies knowingly made about the status of Plaintiffs' youth hockey teams, and Plaintiffs' management of these teams.

42. Defendants engaged in this course of conduct in an intentional manner in order to dissuade prospective players from affiliating with Plaintiffs' organizations, and the statements were reasonably calculated to cause financial and reputational harm to Plaintiffs.

43. Plaintiffs suffered irreparable harm and actual damages from Defendants' conduct.

COUNT TWO

(Defamation)

44. Plaintiffs repeat and incorporate by reference paragraphs 1 through 43 of the Complaint, as if fully set forth therein.

45. Defendants made multiple false and defamatory social medial posts regarding Plaintiffs, including alleging that Plaintiffs broke league rules and could not successfully support a league. Defendants characterized Plaintiffs as notorious fee collectors, fraudsters who manipulated rankings, and even thieves. Defendants have also knowingly mocked and lied about 8-year-old players in Plaintiffs' leagues.

46. These statements were false, and Defendants knew them to be false. In the alternative, Defendants made these false and defamatory statements in a negligent manner.

47. Defendants made these statements in order to harm Plaintiffs' businesses and reputations.

48. Plaintiffs suffered significant harm as a result of the defamatory statements, including financial and reputational harm.

COUNT THREE

(Intentional Infliction of Emotional Distress)

49. Plaintiffs repeat and incorporate by reference paragraphs 1 through 48 of the Complaint, as if fully set forth therein.

50. Defendants' constantly and consistently harassing social media posts constitute outrageous and extreme conduct targeting Mr. Gunty's personal and professional reputation.

51. Defendants published the posts knowingly and for the purpose of harming Mr. Gunty and his businesses, as well as his personal and professional reputation. In the alternative, Defendants published these posts in a reckless manner, with the purpose of harming Mr. Gunty and his businesses, as well as his personal and professional reputation.

52. These social media posts caused Mr. Gunty severe emotional distress, through their viciousness, persistence, and harmful effects on his well-being as he has tried to save his business and his personal and professional reputation.

PRAYER FOR RELIEF

The conduct alleged in this Complaint entitles Plaintiffs to compensatory and punitive damages from the Defendants in an amount of \$1,500,000 or as determined by the factfinder, as well as costs, fees, prejudgment interest, and such other relief as this Court may deem appropriate.

Date: February 5, 2025

Respectfully submitted,

CADWALADER, WICKERSHAM & TAFT LLP

/s/ Douglas F. Gansler

Douglas F. Gansler (MD CPF # 8912180208)

Douglas.Gansler@cwt.com

(202) 862-2300

John B. Howard, Jr. (MD CPF # 9106200125)

J.B.Howard@cwt.com

(202) 862-2409

1919 Pennsylvania Avenue, N.W.

Washington, D.C. 20006

*Counsel for Plaintiffs Murry Gunty, Black Bear
Sports Group, Inc., and Blackstreet Capital
Holdings, LLC*

CERTIFICATION BY SIGNING-ATTORNEY WITH OUT-OF-STATE OFFICE

Pursuant to Maryland Rule 1-313, I, Douglas F. Gansler, hereby certify that I am admitted to practice law in the State of Maryland.

Respectfully,

/s/ Douglas F. Gansler

Douglas F. Gansler (MD CPF # 8912180208)

Douglas.Gansler@cwt.com

(202) 862-2300

Cadwalader, Wickersham & Taft LLP

1919 Pennsylvania Avenue, N.W.

Washington, D.C. 20006

CERTIFICATION BY SIGNING-ATTORNEY WITH OUT-OF-STATE OFFICE

Pursuant to Maryland Rule 1-313, I, John B. Howard, Jr., hereby certify that I am admitted to practice law in the State of Maryland.

Respectfully,

/s/ John B. Howard, Jr.

John B. Howard, Jr. (MD CPF # 9106200125)

J.B.Howard@cwt.com

(202) 862-2409

Cadwalader, Wickersham & Taft LLP

1919 Pennsylvania Avenue, N.W.

Washington, D.C. 20006